UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:23CV196-RJC-DSC

P1 GROUP, INC.,)	
Plaintiff,)	
v.)	<u>ORDER</u>
RIPKURRENT, LLC, et. al.,)	
Defendants.)	

THIS MATTER is before the Court on Defendants' "Motion to Dismiss" (Doc. No. 12) filed May 2, 2023, "Plaintiff's Motion for Leave to Amend First Amended Complaint" (Doc. No. 19) filed June 6, 2023, and the parties' "Joint Motion to Grant Plaintiff Leave to File Second Amended Complaint" (Doc. No. 20) filed June 12, 2023.

Rule 15 of the Federal Rules of Civil Procedure governs amendments to pleadings. Rule 15(a)(1) grants a party the right to "amend its pleading once as a matter of course," if done within 21 days after serving the pleading, Fed. R. Civ. P. 15(a)(1)(A), or "if the pleading is one to which a responsive pleading is required," a party may amend once as a matter of course, provided that it does so within "21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier." Fed. R. Civ. P. 15(a)(1)(B). The Rule further provides that leave to amend shall be freely given "when justice so requires." Fed. R. Civ. P. 15(a)(2).

With the consent of all parties, the Court will grant Plaintiff's Motion for Leave to Amend.

It is well-settled that an amended pleading supersedes the original pleading, and that

motions directed at superseded pleadings are to be denied as moot. Hall v. Int'l Union, United

Auto., Aerospace & Agric. Implement Workers of Am., No. 3:10-CV-418-RJC-DSC, 2011 WL

4014315, at *1 (W.D.N.C. June 21, 2011); Young v. City of Mount Ranier, 238 F.3d 567, 572-73

(4th Cir. 2001).

IT IS THEREFORE ORDERED that:

1. "Plaintiff's Motion for Leave to Amend First Amended Complaint" (Doc. No. 19)

and the parties' "Joint Motion to Grant Plaintiff Leave to File Second Amended Complaint" (Doc.

No. 20) are **GRANTED**. Plaintiff shall file its Second Amended Complaint within ten days of

this Order. Defendants shall have twenty-one days from the time the Second Amended Complaint

is filed to submit an answer or a responsive pleading.

2. Defendants' "Motion to Dismiss" (Doc. No. 12) is administratively **DENIED** as

moot without prejudice.

3. The Clerk is directed to send copies of this Order to counsel for the parties and to

the Honorable Robert J. Conrad, Jr.

SO ORDERED.

Signed: June 12, 2023

Susan C. Rodriguez

Rading United States Magistrate Judge